

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:19-CV-5-D

PROGRESS SOLAR SOLUTIONS, LLC,)
and DANIEL L. ROBERTSON,)

Plaintiffs,)

v.)

MICHAEL D. LONG, SOLAR MOD)
SYSTEMS, INC., and MIKEL BILLS,)

Defendants.)

DEFAULT JUDGMENT


This cause is before the Court for entry of default judgment against Defendant Solar Mod Systems, Inc., (“SMS”), pursuant to Fed. R. Civ. P. 37 and 55. [D.E. 55]. On December 29, 2020, the Court granted Plaintiffs’ motions: (1) for sanctions against SMS, (2) to strike SMS’s answer, and (3) for entry of default against SMS for SMS’s repeated failures to comply with this Court’s orders. [D.E. 64]. SMS’s answer having been stricken and default against SMS having been entered, the Court now enters Judgment against SMS on liability on all Plaintiffs’ claims for relief asserted in Plaintiffs’ Complaint. [D.E. 1].

It is, therefore, ORDERED, ADJUDGED and DECREED that:

1. Plaintiffs shall have and recover compensatory damages against SMS in an amount to be determined on further proceedings by the Court;
2. Plaintiffs shall have and recover punitive damages against SMS in an amount to be determined on further proceedings by the Court;
3. SMS shall disgorge to Plaintiffs all profits SMS derived through its breaches of contract or its unauthorized use of Plaintiffs’ trade secrets and proprietary information;

4. Plaintiffs' reasonable attorneys fees incurred in prosecuting this action, in an amount to be determined on further proceedings by the Court, shall be taxed against SMS pursuant to N.C. Gen. Stat. § 66-154, 18 U.S.C. § 1836(b)(3), and Tex. Civ. Prac. & Rem. Code § 134A.005; and
5. The costs of this action shall be taxed against SMS, in an amount to be determined on further proceedings by the Court.

SO ORDERED. This the 6 day of January, 2021.



JAMES C. DEVER III
United States District Judge